

UNITED STATES BANKRUPTCY COURT
DISTRICT OF
DIVISION

In re:	§	
	§	
MARTINEZ, LUIS HUMBERTO	§	Case No. 12-53482 CAG
DIAZ, BERTHA ALICIA	§	
	§	
Debtor(s)	§	

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter of the United States Bankruptcy Code was filed on . The undersigned trustee was appointed on .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$

Funds were disbursed in the following amounts:

Payments made under an interim
disbursement
Administrative expenses
Bank service fees
Other payments to creditors
Non-estate funds paid to 3rd Parties
Exemptions paid to the debtor
Other payments to the debtor

Leaving a balance on hand of¹ \$

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was _____ and the deadline for filing governmental claims was _____. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ _____. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ _____ as interim compensation and now requests a sum of \$ _____, for a total compensation of \$ _____². In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ _____, and now requests reimbursement for expenses of \$ _____, for total expenses of \$ _____².

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: _____ By: /s/JOSE C. RODRIGUEZ
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

² If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

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Exhibit A

Case No: 12-53482 CAG Judge: CRAIG A. GARGOTTA
Case Name: MARTINEZ, LUIS HUMBERTO
DIAZ, BERTHA ALICIA
For Period Ending: 12/23/13

Trustee Name: JOSE C. RODRIGUEZ
Date Filed (f) or Converted (c): 11/05/12 (f)
341(a) Meeting Date: 12/13/12
Claims Bar Date: 03/20/13

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. REAL PROPERTY Homestead: 7454 Scordato Dr., San Antonio, TX 78266 LIEN WITH CHASE FOR \$96,211.00 SCHOOL TAXES \$3,527.42 PROPERTY TAXES \$3,619.17 HOA DUES \$165.00 Debtor Claimed Exemption	165,960.00	0.00		0.00	FA
2. BANK ACCOUNTS Wells Fargo Bank - checking (ending 3514)	147.62	147.62		0.00	FA
3. BANK ACCOUNTS Wells Fargo Bank - savings (ending 8484)	2.00	2.00		0.00	FA
4. HOUSEHOLD GOODS AND FURNISHINGS Household goods Debtor Claimed Exemption	3,000.00	0.00		0.00	FA
5. BOOKS, PICTURES, ART OBJECTS Books; Pictures; Movies; Music Debtor Claimed Exemption	595.00	0.00		0.00	FA
6. CLOTHING Clothing Debtor Claimed Exemption	500.00	0.00		0.00	FA
7. JEWELRY AND FURS Jewelry Debtor Claimed Exemption	350.00	0.00		0.00	FA
8. OTHER LIQUIDATED DEBTS OWING DEBTOR 2012 tax refund	3,000.00	3,000.00		1,800.00	FA
9. AUTOMOBILES, TRUCKS, TRAILERS 1999 Ford Mustang Debtor Claimed Exemption	550.00	0.00		0.00	FA
10. AUTOMOBILES, TRUCKS, TRAILERS 1999 Lincoln Navigator Debtor Claimed Exemption	1,725.00	0.00		0.00	FA
11. ANIMALS 1 Ferret	0.00	0.00		0.00	FA

FORM I
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page: 2
Exhibit A

Case No: 12-53482 CAG Judge: CRAIG A. GARGOTTA
Case Name: MARTINEZ, LUIS HUMBERTO
DIAZ, BERTHA ALICIA

Trustee Name: JOSE C. RODRIGUEZ
Date Filed (f) or Converted (c): 11/05/12 (f)
341(a) Meeting Date: 12/13/12
Claims Bar Date: 03/20/13

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Debtor Claimed Exemption					

				Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$175,829.62	\$3,149.62	\$1,800.00	\$0.00
				(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

9/30/13jr TFR being finalized for filing with UST

9/1/13jr Refund provided; will process TFR

08/01/13jr Received response; hardship under review

7/11/13jr Pending letter 2 preparation and response

05/27/13jr Prepare and send letter 2

04/12/13jr Send letter for refund amount.

02/18/13jr Pending refund receipt and claims deadline

01/02/13jr Asset is tax refund; notice issued

Initial Projected Date of Final Report (TFR): 09/30/13

Current Projected Date of Final Report (TFR): 12/30/13

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

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Exhibit B

Case No: 12-53482 -CAG
Case Name: MARTINEZ, LUIS HUMBERTO
DIAZ, BERTHA ALICIA
Taxpayer ID No: 61-6488985
For Period Ending: 12/23/13

Trustee Name: JOSE C. RODRIGUEZ
Bank Name: BANK OF KANSAS CITY
Account Number / CD #: *****0719 Checking Account (Non-Interest Earn

Blanket Bond (per case limit): \$ 5,000,000.00

Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
08/14/13	8	Wells Fargo Bank, N.A. 15320 IH 35 N Selma, Tx. 78154	REFUND	1124-000	1,800.00		1,800.00
08/30/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	1,790.00
09/30/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	1,780.00
10/31/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	1,770.00

COLUMN TOTALS	1,800.00	30.00	1,770.00
Less: Bank Transfers/CD's	0.00	0.00	
Subtotal	1,800.00	30.00	
Less: Payments to Debtors		0.00	
Net	1,800.00	30.00	

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Checking Account (Non-Interest Earn - *****0719	1,800.00	30.00	1,770.00
	1,800.00	30.00	1,770.00
(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand	

Page Subtotals 1,800.00 30.00

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EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Date: December 23, 2013

Case Number: 12-53482 Claim Class Sequence
Debtor Name: MARTINEZ, LUIS HUMBERTO

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000007 050 4700-00	Bexar County c/o David G. Aelvoet 711 Navarro Suite 300 San Antonio, TX 78205	Secured		\$0.00	\$0.00	\$0.00
000008 050 4700-00	Judson ISD c/o David G. Aelvoet 711 Navarro Suite 300 San Antonio, TX 78205	Secured		\$0.00	\$0.00	\$0.00
Subtotal for Class Secured				\$0.00	\$0.00	\$0.00
000001 070 7100-00	Discover Bank DB Servicing Corporation PO Box 3025 New Albany, OH 43054-3025	Unsecured		\$4,725.39	\$0.00	\$4,725.39
000002 070 7100-00	Discover Bank DB Servicing Corporation PO Box 3025 New Albany, OH 43054-3025	Unsecured		\$7,046.07	\$0.00	\$7,046.07
000003 070 7100-00	American InfoSource LP as agent for Midland Funding LLC PO Box 268941 Oklahoma City, OK 73126-8941	Unsecured		\$10,263.77	\$0.00	\$10,263.77
000004 070 7100-00	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured		\$4,242.78	\$0.00	\$4,242.78
000005 070 7100-00	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured		\$3,528.45	\$0.00	\$3,528.45
000006 070 7100-00	FIA CARD SERVICES, N.A. 4161 Piedmont Parkway NC4 105 03 14 Greensboro, NC 27410	Unsecured		\$4,630.02	\$0.00	\$4,630.02
000009 070 7100-00	Capital Recovery V, LLC c/o Recovery Management Systems Corp 25 SE 2nd Ave Suite 1120 Miami FL 33131-1605	Unsecured		\$900.75	\$0.00	\$900.75
000010 070 7100-00	Capital Recovery V, LLC c/o Recovery Management Systems Corp 25 SE 2nd Ave Suite 1120 Miami FL 33131-1605	Unsecured		\$1,412.35	\$0.00	\$1,412.35
000011 070 7100-00	Capital Recovery V, LLC c/o Recovery Management Systems Corp 25 SE 2nd Ave Suite 1120 Miami FL 33131-1605	Unsecured		\$4,213.52	\$0.00	\$4,213.52

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EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Date: December 23, 2013

Case Number: 12-53482 Claim Class Sequence
Debtor Name: MARTINEZ, LUIS HUMBERTO

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000012 070 7100-00	Quantum3 Group LLC as agent for Comenity Bank PO Box 788 Kirkland, WA 98083-0788	Unsecured		\$677.74	\$0.00	\$677.74
000013 070 7100-00	Capital One, N.A. c/o Bass & Associates, P.C. 3936 E. Ft. Lowell Rd, Suite #200 Tucson, AZ 85712	Unsecured		\$96.55	\$0.00	\$96.55
000014 070 7100-00	PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured		\$10,566.08	\$0.00	\$10,566.08
000015 070 7100-00	Portfolio Recovery Associates, LLC POB 12914 Norfolk VA 23541	Unsecured		\$2,202.28	\$0.00	\$2,202.28
Subtotal for Class Unsecured				\$54,505.75	\$0.00	\$54,505.75
Case Totals:				\$54,505.75	\$0.00	\$54,505.75

Code #: Trustee's Claim Number, Priority Code, Claim Type

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 12-53482 CAG

Case Name: MARTINEZ, LUIS HUMBERTO

DIAZ, BERTHA ALICIA

Trustee Name: JOSE C. RODRIGUEZ

Balance on hand \$

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payment to Date	Proposed Payment
000007	Bexar County	\$	\$	\$	\$
000008	Judson ISD	\$	\$	\$	\$

Total to be paid to secured creditors \$

Remaining Balance \$

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: JOSE C. RODRIGUEZ	\$	\$	\$
Trustee Expenses: JOSE C. RODRIGUEZ	\$	\$	\$

Total to be paid for chapter 7 administrative expenses \$

Remaining Balance \$

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000001	Discover Bank	\$	\$	\$
000002	Discover Bank	\$	\$	\$
000003	American InfoSource LP as agent for	\$	\$	\$
000004	Capital One Bank (USA), N.A.	\$	\$	\$
000005	Capital One Bank (USA), N.A.	\$	\$	\$
000006	FIA CARD SERVICES, N.A.	\$	\$	\$
000009	Capital Recovery V, LLC	\$	\$	\$
000010	Capital Recovery V, LLC	\$	\$	\$
000011	Capital Recovery V, LLC	\$	\$	\$
000012	Quantum3 Group LLC as agent for	\$	\$	\$
000013	Capital One, N.A.	\$	\$	\$

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000014	PYOD, LLC its successors and assigns as assignee	\$	\$	\$
000015	Portfolio Recovery Associates, LLC	\$	\$	\$

Total to be paid to timely general unsecured creditors \$ _____

Remaining Balance \$ _____

Tardily filed claims of general (unsecured) creditors totaling \$ _____ have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be _____ percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ _____ have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be _____ percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE